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January 19, 2024

Via ECF

The Honorable Dale E. Ho
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *Brighthouse Life Insurance Company v. Spin Capital, LLC, et al.*
Case No.: 1:23-cv-08570-DEH

Dear Judge Ho:

This firm represents Plaintiff Brighthouse Life Insurance Company (“Brighthouse”) in the referenced action. Pursuant to the Court’s January 12, 2024 Order (ECF Doc. 56), we write jointly with counsel for Defendants Spin Capital LLC (“Spin Capital”), Stefan Leer, Tatanisha Leer, the Leer Entities,¹ Cap Factor, LLC (“Cap Factor”) and Fred Stevens (the “Receiver”), as Court-Appointed Temporary Receiver² (collectively, the “Parties”), to update the Court as to the status of the Parties’ attempt to resolve the matter.

The Parties are in active discussions about resolution of this matter and are presently optimistic that a resolution will be reached. Accordingly, the Parties respectfully request that they be permitted to file another joint status letter on or before February 2, 2024 to update the Court on their progress. The Parties further respectfully request that the Court reserve judgment on the unopposed interpleader motion (ECF Doc. 28) and interest on the remaining death benefit at issue shall continue to not accrue pending the submission of their subsequent joint status letter.

We thank the Court for its consideration of this request.

¹ The “Leer Entities” include Defendants Golden Foothill Insurance Services, LLC; Life Factor II LLC; Life Shares II, LLC; El Dorado Hills Insurance Solutions, Inc.; Lone Wolf Insurance Services, Inc.; ELDO Investments, LLC; The Genesis LS Fund, LLC; KTL Holdings, Inc.; DRVN Holdings, LLC; and Life Shares 1019, LLC.

² Fred Stevens was appointed temporary receiver in the action encaptioned *Spin Capital, LLC, v. Golden Foothill Insurance Services, LLC, et al.*, Index No 650582/2022, currently pending before the Supreme Court of the State of New York, County of New York: Commercial Division (the “State Court Action”). (State Court Action NYSCEF Doc. No. 245).

Respectfully submitted,

/s/ Michelle J. d'Arcambal
Michelle J. d'Arcambal

cc: All counsel of record (*via ECF and/or email*)